



*SHK*

PATENT  
Attorney Docket No. SHK-001CP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT:	Bleau	CONFIRMATION NO.:	2289
SERIAL NO.:	10/761,793	GROUP NO.:	2873
FILING DATE:	January 20, 2004	EXAMINER:	Hung Xuan Dang
TITLE:	Novel Eyewear		

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

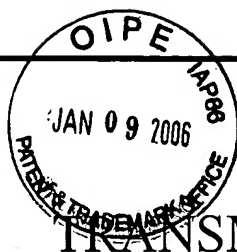
I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 6<sup>th</sup> day of January, 2006.

  
Diane Racicot

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Submitted herewith is/are:

1. Transmittal (1 pg.);
2. Fee Transmittal (1 pg.);
3. A checks in the amount of \$180.00;
4. Information Disclosure Statement (2 pgs.);
5. Form PTO-1449 (2 pgs.);
6. Copies of references B1-B3;
7. Return receipt postcard.



# TRANSMITTAL FORM

Application Serial Number	10/761,793
Filing Date	January 20, 2004
First Named Inventor	Bleau
Group Art Unit	2873
Examiner Name	Hung Xuan Dang
Attorney Docket No.	SHK-001CP
Confirmation No.	2289

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input checked="" type="checkbox"/> Information Disclosure Statement Form PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations (B1-B3) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Copy of Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
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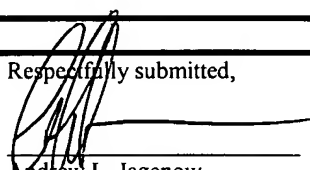
## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Goodwin Procter LLP  
Exchange Place  
Boston, MA 02109  
Tel. No.: (617) 570-1000  
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## SIGNATURE BLOCK

Date: January 6, 2006  
Reg. No.: 51,842  
Tel. No.: (617) 570-1905  
Fax No.: (617) 523-1231

Respectfully submitted,

  
Andrew L. Jagenow  
Attorney for the Applicants  
Goodwin | Procter LLP  
Exchange Place  
Boston, MA 02109



**FREE TRANSMITTAL**  
**FY 2005**

Complete if Known	
Application Serial Number	10/761,793
Filing Date	January 20, 2004
First Named Inventor	Bleau
Group Art Unit	2873
Examiner Name	Hung Xuan Dang
Attorney Docket No.	SHK-001CP

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																															
<div>1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</div>				<div>3. ADDITIONAL FEES</div> <table><thead><tr><th>Large Entity Fee (\$)</th><th>Small Entity Fee (\$)</th><th>Fee Descriptions</th><th>Fee Paid</th></tr></thead><tbody><tr><td>130</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>130</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>2,520</td><td>2,520</td><td>Request for ex parte reexamination</td><td></td></tr><tr><td>120</td><td>60</td><td>Extension for reply within first month</td><td></td></tr><tr><td>450</td><td>225</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1020</td><td>510</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1590</td><td>795</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>2160</td><td>1080</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>500</td><td>250</td><td>Notice of Appeal</td><td></td></tr><tr><td>500</td><td>250</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1000</td><td>500</td><td>Request for oral hearing</td><td></td></tr><tr><td>400</td><td>400</td><td>Petitions to the Commissioner (Gp. I)</td><td></td></tr><tr><td>200</td><td>200</td><td>Petitions to the Commissioner (Gp. II)</td><td></td></tr><tr><td>130</td><td>130</td><td>Petitions to the Commissioner (Gp. III)</td><td></td></tr><tr><td>180</td><td>180</td><td>Submission of Information Disclosure Statement</td><td>180.00</td></tr><tr><td>790</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>790</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td>100</td><td>100</td><td>Certificate of Correction for applicant's error</td><td></td></tr><tr><td>130</td><td>65</td><td>Submission of Terminal Disclaimer</td><td></td></tr><tr><td colspan="2">Other fee (Specify)</td><td></td><td></td></tr><tr><td colspan="2">Other fee (Specify)</td><td></td><td></td></tr></tbody></table>				Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Descriptions	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		120	60	Extension for reply within first month		450	225	Extension for reply within second month		1020	510	Extension for reply within third month		1590	795	Extension for reply within fourth month		2160	1080	Extension for reply within fifth month		500	250	Notice of Appeal		500	250	Filing a brief in support of an appeal		1000	500	Request for oral hearing		400	400	Petitions to the Commissioner (Gp. I)		200	200	Petitions to the Commissioner (Gp. II)		130	130	Petitions to the Commissioner (Gp. III)		180	180	Submission of Information Disclosure Statement	180.00	790	395	Filing a submission after final rejection (37 CFR 1.129(a))		790	395	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		130	65	Submission of Terminal Disclaimer		Other fee (Specify)				Other fee (Specify)			
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<div>3. <input type="checkbox"/> Applicant claims small entity status.</div>																																																																																																			
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PATENT  
Attorney Docket No. SHK-001CP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Bleau CONFIRMATION NO.: 2289  
SERIAL NO.: 10/761,793 GROUP NO.: 2873  
FILING DATE: January 20, 2004 EXAMINER: Hung Xuan Dang  
TITLE: Novel Eyewear

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicant hereby makes of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with 37 C.F.R. 1.98(a)(2), only copies of the foreign patent documents and non-patent publications are enclosed.

In addition, Applicant wishes to inform the Examiner about the following commonly-owned, co-pending application, including all cited references and Office actions issued therein:

U.S. Serial No.	Filing Date	Inventor Name
11/230,313	September 19, 2005	Bleau

01/11/2006 #BIZUNES 00000056 10761793  
01 FC:1806

180.00 00P

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**

- ☒ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

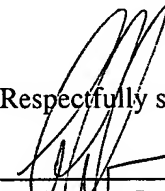
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

  
\_\_\_\_\_  
Andrew L. Jagenow  
Attorney for Applicant  
Goodwin Procter LLP  
Exchange Place  
Boston, Massachusetts 02109

Date: January 6, 2006  
Reg. No. 51,842

Tel. No.: (617) 570-1905  
Fax No.: (617) 523-1231  
Customer No. 051414  
LIBA/1664328.1



FORM PTO - 1449

## INFORMATION DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.: SHK-001CP

APPLICANTS: Bleau

SERIAL NO.: 10/761,793

FILING DATE: January 20, 2004 GROUP: 2873

## U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
		583,590	6/1897	Bennett			
		2,149,514	3/39	Fischer			
		2,243,982	6/41	Seeley			
		2,387,851	10/45	Lonn et al.			
		2,430,881	11/47	Lehmberg			
		3,092,103	11/59	Mower			
		3,614,216	10/71	Rosenthal			
		3,701,592	10/71	Fernandez			
		4,006,974	2/77	Resnick			
		4,122,847	10/78	Craig			
		4,393,080	7/83	Pawelchak et al.			
		4,547,909	10/85	Bell			
		4,797,956	1/89	Boyce			
		4,837,862	6/89	Heil			
		4,886,349	12/89	Willis			
		4,944,294	7/90	Borek, Jr.			
		5,016,999	5/91	Williams			
		5,020,533	6/91	Hubbard et al.			
		5,302,977	4/94	Markovitz et al.			
		5,383,450	1/95	Hubbard et al.			
		5,406,944	4/95	Gazzara			
		5,419,913	5/95	Podell et al.			
		5,425,380	6/95	Hudson et al.			
EXAMINER					DATE CONSIDERED		

<b>FORM PTO - 1449</b>  <b>INFORMATION DISCLOSURE STATEMENT</b>				ATTORNEY DOCKET NO.: SHK-001CP  APPLICANTS: Bleau  SERIAL NO.: 10/761,793  FILING DATE: January 20, 2004    GROUP: 2873				
U.S. PATENT DOCUMENTS								
EXAM. INIT.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE		
	5,700,238	12/97	Hyson					
	5,719,655	2/98	Peschel et al.					
	5,584,078	12/96	Saboory					
	5,797,146	8/98	Matich					
	6,019,103	2/00	Carroll					
	6,026,511	2/00	Baumann et al.					
	6,196,223	3/01	Belfer et al					
	6,216,695	4/01	Ruben					
	6,526,975	3/03	Chung					
	6,543,450	4/03	Flynn					
	6,609,516	8/03	Hollander et al.					
	6,761,447	7/04	Pyo					
	6,776,485	8/04	Cole					
FOREIGN PATENT DOCUMENTS								
EXAM. INIT.	DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASSES	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B1 11 128378	5/99	JP				Y	Y
	B2 WO 02/06881	1/24/02	PCT				N	Y
	B3 WO 97/21397	6/19/97	PCT				N	Y
OTHER ART, JOURNAL ARTICLES, ETC.								
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)							
EXAMINER				DATE CONSIDERED				